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ABSTRACT

This paper reflects the results of the consultative and research activities of a joint Charter Working Group drafting on a new charter for Ontario, Canada colleges. The purpose of the Capacity and Charter Project, initiated by the Association of Colleges of Applied Arts and Technology's General Assembly, is to develop a new charter framework to ensure that colleges can continue to be leaders in economic development and prepare qualified graduates. The charter framework includes the following elements: a new charter that commits to opportunity for access, describes the broad college mandate and imbeds system-wide elements and institutional differentiation; increased board authority within a broad accountability framework; a commitment by government to progressive and adequate funding; and establishment of colleges' right to grant applied degrees. There is strong support for one charter that articulates common system-wide elements with flexibility for institutional differentiation incorporated into the legislation. Several principles emerged from the feedback from colleges and stakeholders: access, funding, accountability, board authority, and institutional flexibility and credentials. These principles guided the development of the charter framework, as well as identifying areas which require further work. The paper also describes postsecondary reform in four other jurisdictions and the resulting structures established to support the changes. Appendices of sample legislation with college mandate, consultative activities by college boards for the charter project, and Ontario legislation/regulations relating to colleges. (JA)

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Association of Colleges of Applied Arts and Technology of Ontario

Ontario's Colleges for the 21st Century: Capacity and Charter Framework

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Executive Summary

"Demographic trends raise alarm bells both with regard to entering and exiting workers. With a relatively smaller youth cohort reaching working age over the coming decade, we must ensure they are not only technically competent, but also adequately prepared for the world of work. This will not be achievable unless targeted changes are made to the funding of our education and training system. For the existing workforce, new methods and initiatives are required to assure continuous upgrading."

Stepping Up: Skills and Opportunities in the Knowledge Economy
Report of the Expert Panel on Skills, October 1999

Complex and interrelated forces are driving change in the college system: demographic trends, a rapidly changing and globalized workplace, technological advances, secondary education reform and public expectations. In the knowledge-based economy, investment in human capital -- in the intellect and creativity of people -- is of paramount importance.

Ontario's Colleges of Applied Arts and Technology have contributed to social and economic development in the province for more than 30 years by providing accessible, quality career education and training to over one million adults each year. However, current legislative and policy frameworks will not enable colleges to respond effectively and quickly enough to the challenges and opportunities that will emerge over the next 20 years.

The Association of Colleges of Applied Arts and Technology's General Assembly, comprised of the 25 college board chairs and 25 college presidents, initiated the *Capacity and Charter Project*. The purpose is to develop a new charter framework to ensure that colleges can continue to be leaders in economic development and prepare qualified graduates. The time frame for change is immediate.

The charter consultation process included local initiatives by individual college boards and a broader process undertaken by ACAATO with key provincial stakeholders. Research activities to support the capacity and charter project were undertaken by ACAATO's coordinating committees. This paper reflects the results of these consultative and research activities as well as the work of the joint MTCU/ACAATO Charter Working Group.

The charter framework builds on the vision and mandate of colleges for the 21st Century. The framework includes the following elements which are necessary for colleges to meet the challenges of the 21st Century:

- a new charter for colleges that commits to opportunity for access, describes the broad college mandate and imbeds system-wide elements and institutional differentiation;
- increased board authority within a broad accountability framework;
- a commitment by government to progressive and adequate funding; and

- establishment of the colleges' right to grant applied degrees.

The feedback from colleges and stakeholders indicated strong support for the colleges as community-based educational leaders and contributors to social and economic development. There is also strong support for one charter that articulates common system-wide elements with flexibility for institutional differentiation incorporated into the legislation. Several principles emerged from the feedback: access, funding, accountability, board authority, institutional flexibility and credentials. These principles guided the development of the charter framework as well as identifying areas which require further work.

"The technological revolution has not only changed the workplace, it has pushed back the boundaries of the education system. If the postsecondary education system in Ontario is to continue to meet the applied training and employer needs in the 21st Century, postsecondary institutions must not only change what they teach, but how they teach. In a future of life-long learning, most education will be applied education."

Sheridan College

Building on the colleges' vision developed by all internal stakeholders in 1995 and the input received from stakeholders, a mandate, rationale and vision for colleges for the 21st Century are articulated.

The paper describes postsecondary reform in four other jurisdictions and the resulting structures established to support the changes.

The paper concludes by requesting government to implement the charter framework and continue working collaboratively on areas requiring further exploration.

Section 1

Introduction

Introduction

With the new century we have entered a time of transformation — a time when social, economic, and political systems are being redesigned, when new patterns of work, leisure and family life are being created by new technology, when conventional wisdom is being challenged and new ways of thinking are being created.

"The community colleges in Ontario have a long and valued tradition of providing career-oriented education to meet the needs of both their students and their community. The successful fulfillment of this role (is) the provision of broad geographical accessibility to students..."

College of Nurses of Ontario

Not only do Ontario's Colleges of Applied Arts and Technology need to meet many completely new challenges posed by this transformation, we must also cope with the effects of shifting resources, changing student needs, new competition created by technology and increased demands for high quality, affordable education.

The future capacity of individuals, organizations and governments to not only survive but thrive will depend largely upon their abilities to generate, apply, and share knowledge. In this century, knowledge will be the most important currency. In the knowledge economy, college education will be a necessity for Ontarians who desire steady employment, decent incomes and opportunities for career advancement. Furthermore the income these citizens will realize through education will generate more resources for communities to use in serving broad needs, enhancing the quality of life and solving current and future problems for all.

A successful 21st Century economy depends upon a partnership that includes Ontario's postsecondary education community, its business and industry, its governments and its citizens. Colleges best contribute to the partnership by leading in access, educational quality and market responsiveness to business and industry.

Colleges and Economic Development

The Colleges of Applied Arts and Technology have contributed to social and economic development in Ontario for over 30 years by providing accessible, quality career education and training to over one million adults each year. Colleges, uniquely differentiated from schools and universities, prepare job-ready graduates for Ontario's labour market and deliver a proven return on public education investment.

The colleges' contribution to economic development is demonstrated through outstanding quality, access and accountability achievements as shown in the 1999 Key Performance

Indicators results.

- Graduate Employment Rate of 90%,
- Graduate Satisfaction Rate of 80%,
- Employer Satisfaction Rate of 91%, and
- Student Satisfaction Rate of 68%.

The 25 colleges are uniquely positioned with the potential to further enhance Ontario's economic leadership in the knowledge economy provided certain strategic investments and policy changes are made by the provincial government.

Demographics

Changing demographics will have a significant impact on Ontario's workforce and its economy.

- The province has an aging population -- in 1970, 8% of its population was over 65; by 2011, 14% of its population will be over 65.

- It is estimated that 80% of today's jobs require skilled employees. The demand for skills training is unprecedented and those individuals who are unskilled are, and will continue to be, at a disadvantage.

- The challenge facing Ontario becomes even greater when one considers that the workforce will not be large enough to meet workplace needs.

Driving Forces for Change

"Develop a new Charter for colleges in the 21st Century, to take greater advantage of their potential as significant contributors to the economy, by allowing them to be more market -driven and more flexible."

Road Map to Prosperity: Ontario Jobs and Investment Board, March 1999

The challenges facing postsecondary education in the 21st Century provide an immediate opportunity for innovation, renewal and transformation. In Ontario the driving forces for change in the postsecondary sector include:

- projected double cohort of secondary students;
- shifting demographics;
- increasing diversity of learners;
- policy support of external bodies such as the *Ontario Jobs and Investment Board* (OJIB);
- rapidly changing marketplace;
- explosive use of technology; and
- shifting funding sources and strategies.

There have been structural changes to most of the broader public sector in Ontario. Now attention is focused on the need for change in the postsecondary sector. The emergence of digital technology

and of virtual universities and colleges is blurring the distinction between on-campus and off-campus learning. Traditional postsecondary education institutions face significant competition from all over the world.

These forces provide the stimulus to explore more creative and unique strategies to continue to ensure access to quality education and training programs in the colleges and to continue to promote economic development.

Colleges have already initiated many strategies to reduce costs while also being accountable for enhancing quality and expanding access. Colleges are Ontario's most efficient public sector, serving over 35% more students with 40% less funding per student since 1990. The need to continue to restructure, to reallocate resources internally and focus on priorities has been recognized. Collaboration between colleges through an appropriate funding mechanism could be a means for colleges to address diminishing financial resources and an incentive to expand opportunity.

Postsec ondary Reform Elsewhere

Since the early 1990s most jurisdictions in North America and elsewhere have introduced reform in their postsecondary systems to position the sector to meet the economic needs of the 21st Century. There is consistency in the underlying principles of these reforms: access, quality, accountability and affordability. Most jurisdictions have developed strategies, financial and policy-based, to provide a common technological infrastructure and distributed learning initiatives. See Pages 30-33 for summaries of strategies from British Columbia, Alberta, Manitoba and New Jersey.

In addition to the development of strategic plans, such as British Columbia's *Charting a New Course*, many constituencies have developed new legislation to support the positioning of this sector to meet the challenges of the 21st Century. Manitoba and Nova Scotia have entrenched the mandate for the colleges within the legislation itself. (See Appendix 1)

College Capacity and Charter Project

ACAATO's mandate, as the advocacy and marketing association of Ontario's 25 Colleges of Applied Arts and Technology, is to advance a strong college system for Ontario. ACAATO's General Assembly, comprised of the 25 college board chairs and 25 presidents, has concluded that the *Ministry of Colleges and Universities Act, Regulation 770, the Colleges Collective Bargaining Act* and some elements of current Ministry of Training, Colleges and Universities policy and practice are restrictive.

These narrow frameworks, which are based on an outdated view, limit the colleges' rapid response to just-in-time training demands and our capacity to source new revenue. **For colleges to fully achieve our collective career education and training potential in differentiated environments, a new enabling charter reflecting the role of the colleges in the 21st Century must be developed.**

The General Assembly identified two interrelated priorities for advocacy and policy development during 2000: increased funding and a new legislative/regulatory framework. The *College Capacity and Charter Project* supports the achievement of these two priorities.

There were several activities initiated to collect data and opinions regarding the role of Colleges in the 21st Century.

- A Ministry of Training, Colleges and Universities (MTCU)/ACAATO Charter Working Group was established and met frequently to explore possible legislative and regulatory changes.
- Local consultation was held with each board determining its own processes and approaches.
- Provincial consultations were held with ACAATO inviting 10 key provincial stakeholders to make presentations to the ACAATO Executive Committee. Written submissions were sought from 51 provincial stakeholders.
- Research in applied degrees, credentials, governance, program approvals and funding was conducted by the Instructional Programs, Administrative Services, Human Resources, Training and Development and Student Services coordinating committees.
- College Boards reviewed the draft *Ontario's Colleges for*

the 21st Century: Capacity and Charter Framework and provided responses.

- The General Assembly received board responses and recommended revisions.

For additional details see Appendix 2.

Purpose and Overview of the Paper

This paper on charter recommendations provides the charter framework necessary for the colleges to achieve our access and quality mandate in the 21st Century. The objective is for colleges to determine our own patterns of change rather than having them imposed. The time frame for proposing these changes is short.

This paper provides feedback from the MTCU/ACAATO Charter Working Group and the internal and external stakeholders of the college system that relates primarily to the charter component of the project.

The paper also describes the vision, values and mandate of a renewed college system for Ontario for the 21st Century. A charter framework, as well as a summary of the results of the consultation process upon which the framework is based, is described. Underlying principles are presented and areas of divergence are noted as well. Approaches used to transform college sector structures in four other jurisdictions are briefly summarized, together with various options presented in responses.

The paper concludes by requesting the government to implement the charter framework.

Appendices include additional information on legislation from other jurisdictions that include college mandates, the consultation process and a list of submissions, brief descriptions of the research activities and current legislation/regulations in Ontario.

Section 2

College Charter Framework

Recommended College Charter Framework

Colleges of Applied Arts and Technology are Ontario's publicly assisted career education and training system. This charter framework ensures that Ontario's colleges have the autonomy, flexibility and funding to respond effectively to the access and quality demands of our students and our knowledge-based economy. The framework is intended to support a renewed college system that will be able to be more flexible, responsive, efficient and accountable while providing high quality program delivery.

The elements of the charter framework have been developed considering the current legislative/regulatory/policy framework, MTCU/ACAATO Charter Working Group input and system-wide submissions to the ACAATO Executive.

The elements of this framework accommodate institutional diversity as colleges strive to meet the varied demands of local, regional and global markets as leading career education and training institutions.

It is requested

1. That the government of Ontario establish a new charter for colleges that:
   - declares the government's commitment to a learning society in which qualified Ontarians have the opportunity to access postsecondary education;
   - describes the broad mandate of the colleges;
   - imbeds common system-wide elements as well as flexibility for differentiation of colleges.

2. That the new charter provide boards with increased accountability within a broad governance accountability framework, authority to:
   - act as employers with the ability to:
     - determine appropriate models of human resource management;
     - hire, review, compensate the president;
     - establish administrative salaries and terms and conditions of employment;
   - conduct real property transactions;
   - design the mechanism to appoint board members.

3. That the government commit to progressive and adequate funding based on a new and appropriate knowledge-based economy funding model.

4. That the charter permanently permit colleges to grant applied degrees.

Section 3

Mandate, Rationale, Vision, Values

A New Charter for Colleges
Mandate, Rationale, Vision and Values

Mandate

The mandate of Ontario Colleges of Applied Arts and Technology is to provide accessible, quality career education and training to enhance social and economic development throughout Ontario and to meet local, regional and global marketplace demand.

Rationale

A new charter will build on the success of Ontario's colleges and increase their capacity to contribute to the achievement of Ontario's primary strategic objective of knowledge and skills for prosperity (Road Map to Prosperity: Ontario Jobs Investment Board, March 1999). Colleges of Applied Arts and Technology are leaders in career education and training throughout Ontario.

For 34 years colleges have contributed to the social and economic development of the province and its communities by:

- preparing people for their careers and upgrading the skills and knowledge of those in the workforce, thus ensuring a skilled workforce,
- providing an educated workforce, thus contributing to productivity and innovation,
- contributing to good citizenship and cultural appreciation, thus enabling good communities in which to work and live.

Colleges plan strategically to meet the changing economy, public expectations and the education needs of a high-performance workplace by:

- developing new partnerships and alliances with business, industry and other educational institutions,
- modeling the current workplace through co-op placements and internships,
- providing high-quality life-long learning experiences for learners to acquire new skills, and master new technologies and knowledge,
- collaborating across disciplines in colleges; across colleges through sharing of courses, facilities, faculty; between colleges and universities and the secondary sectors; between colleges and business and industry, and internationally.

Colleges are committed to access and specialization by:

- enhancing access to postsecondary education for school leavers and mature adults,
- providing diverse learning options for students that span access, art, health, business, technology and high technology programs,
- utilizing technology to allow greater choices and flexibility for learners,
- operating centres of excellence, as determined by business and industry.

Colleges are actively pursuing international activities by:

- ensuring graduates are competent and capable to compete in a global workplace,
- enriching the educational system and broadening the curriculum,
- contributing to the local economy by improving competitiveness in the global arena,
- providing additional revenue for the institutions.

Colleges demonstrate proactive leadership in the management of the educational system by:

- pursuing both public and private partnerships,
- providing affordable education,
- demonstrating accountability,
- bringing key community leaders together to collaborate.

The colleges are focused, flexible, timely and entrepreneurial and can become what we need to be if given the authority and flexibility to become even more responsive to market demand.

Vision

The Colleges of Applied Arts and Technology of Ontario will be the most highly respected college system in the world by 2010. Highly qualified, exceptional college staff will provide career education and training that fosters leadership and citizenship in its students, strengthens the workforce, and provides services to meet the diverse range of provincial needs in a global context.

This collective vision for 25 colleges, offering accessible quality programs in English and French to serve the diverse needs of 200 communities across Ontario, is a synthesis of the unique market-driven visions of individual institutions.

Excellence in all programs and endeavours:

- quality programs, teaching and services,
- excellence of specialization whether access, high-tech, community service, health, apprenticeship or co-op programs,
- innovative applied research with linkages to business and industry,
- effective use of information and communication technologies.

Learning providers of first choice, expanding access:

- serve the learning needs of a diverse population,
- broker of learning based on learning needs,
- assess and recognize prior learning,
- provide affordable, diverse, flexible learning opportunities,
- expand recognition of current credentials and applied degrees,
- ensuring its graduates have continuing opportunity to obtain advanced educational opportunities and further credentials through an efficient organized lifelong learning system.

Economic and social development leaders:

- provide an educated workforce that increases innovation and productivity,
- educate and train the workforce for emerging jobs and a changing workplace,
- contribute on regional, geographic and sectoral basis,
- develop new and creative ways to bring business, industry, education together to compete nationally and internationally.

Collaborate with partners to accomplish colleges' vision:

- develop innovative partnerships, alliances and consortia with business, industry and labour,
- explore innovative relationships with universities around articulation, transfer programs, degree completion,
- create opportunities to partner with other colleges to maximize the use of limited resources.

Accountable to all constituencies:

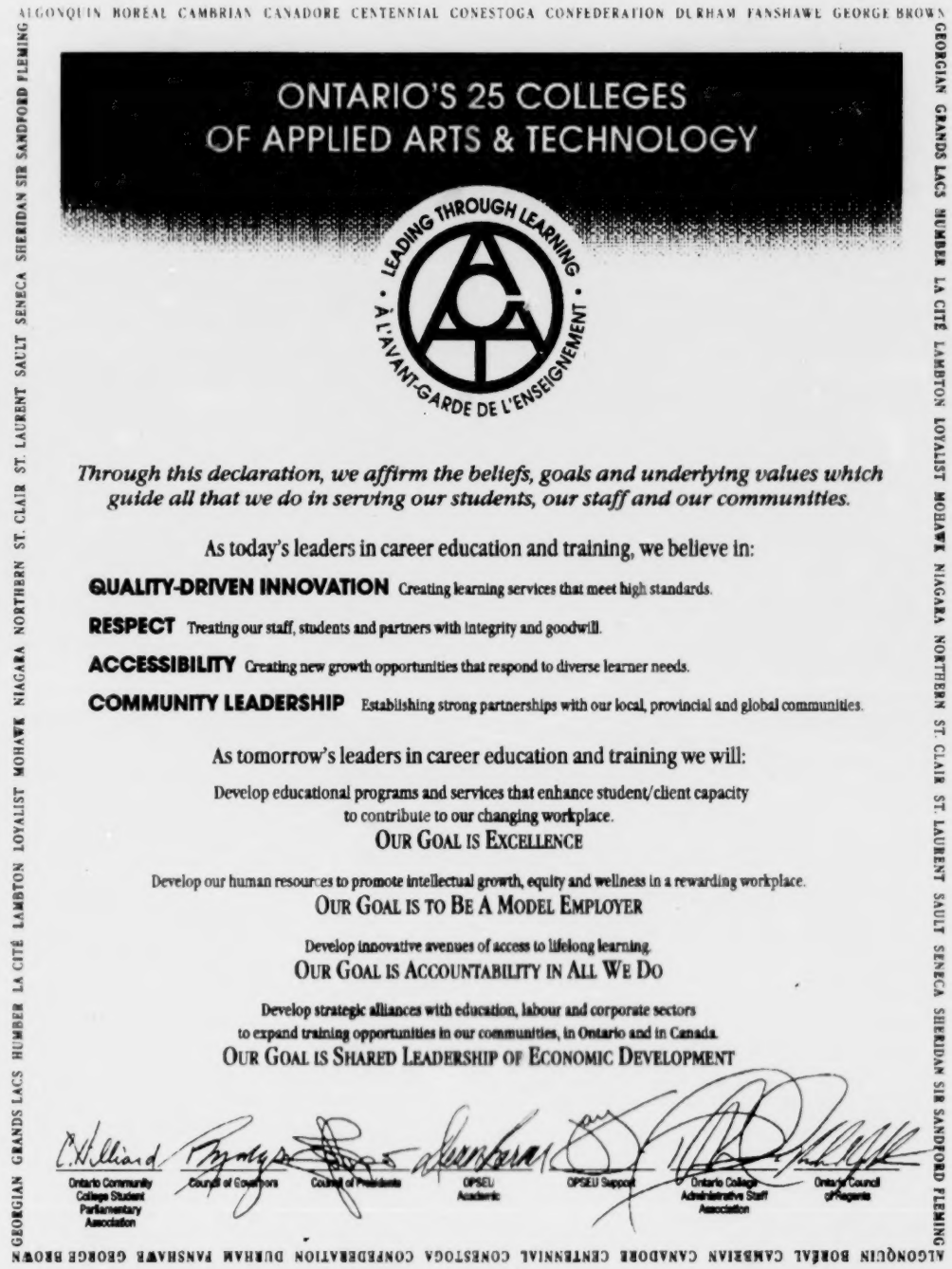
- adopt performance measures that demonstrate accountability to students, clients, government and general public,
- practice effective and efficient use of limited resources,
- practice continual improvement,
- commit to new methods of operation and revenue generation,
- demonstration of unequivocal high performance in all endeavours.

Building on strength, celebrating success

- the colleges will recognize their strengths and success and build upon them.

Values

This values statement, signed by internal stakeholders, continues to be the foundation for the Ontario college vision and transformation.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ONTARIO'S 25 COLLEGES
OF APPLIED ARTS & TECHNOLOGY
LEADING THROUGH LEARNING
À L'AVANT-GARDE DE L'ENSEIGNEMENT
Through this declaration, we affirm the beliefs, goals and underlying values which guide all that we do in serving our students, our staff and our communities.
As today's leaders in career education and training, we believe in:
QUALITY-DRIVEN INNOVATION Creating learning services that meet high standards.
RESPECT Treating our staff, students and partners with integrity and goodwill.
ACCESSIBILITY Creating new growth opportunities that respond to diverse learner needs.
COMMUNITY LEADERSHIP Establishing strong partnerships with our local, provincial and global communities.
As tomorrow's leaders in career education and training we will:
Develop educational programs and services that enhance student/client capacity to contribute to our changing workplace.
OUR GOAL IS EXCELLENCE
Develop our human resources to promote intellectual growth, equity and wellness in a rewarding workplace.
OUR GOAL IS TO BE A MODEL EMPLOYER
Develop innovative avenues of access to lifelong learning.
OUR GOAL IS ACCOUNTABILITY IN ALL WE DO
Develop strategic alliances with education, labour and corporate sectors to expand training opportunities in our communities, in Ontario and in Canada.
OUR GOAL IS SHARED LEADERSHIP OF ECONOMIC DEVELOPMENT
Ontario Community College Student Parliamentary Association
Council of Governors
Council of Presidents
OPSEU Academic
OPSEU Support
Ontario College Administrative Staff Association
Ontario Council of Regents
ALGONQUIN BOREAL CAMBRIAN CANADORE CENTENNIAL CONESTOGA CONFEDERATION DURHAM FANSHAWE GEORGE BROWN
GEORGIAN GRANDS LACS HUMBER LA CITÉ LAMBTON LOYALIST MOHAWK NIAGARA NORTHERN ST. CLAIR ST. LAURENT SAULT SENECA SHERIDAN SIR SANDFORD FLEMING

Section 4 :

Charter Principles and Framework

Charter Principles and Framework

Listening to Stakeholders

The charter framework is built upon the principles of access, funding, accountability, board authority, institutional flexibility and credentials as reaffirmed by the college-wide community to whom colleges are accountable. Throughout the consultation process, submissions to the ACAATO Executive reflected a firm commitment by the colleges and key stakeholders to meet the needs of individual learners as the primary means of serving the economic and social development needs of the local community, the region and the province.

There is overwhelming support for the colleges as leaders in career education and training and as key contributors to the economic development and prosperity in Ontario. The community-based orientation of the college is considered to be integral to the future role of the colleges and the social and economic success of the communities we serve.

"The colleges can best serve the province of Ontario and its economy if the following elements are in its charter:
a. Career-focused education
b. Community-based
c. Accessible
d. Affordable
e. Accountable
f. Equitable
g. Publicly funded, public education
We strongly endorse a single charter as we believe that these rights should be available to all citizens of Ontario."

OPSEU CAAT (Academic)

There is also strong support for **one** charter with flexibility for institutional differentiation built into the legislation. This flexibility would permit colleges to establish centres of excellence, subsidiaries or joint corporate partnerships to be responsive to labour market needs.

Most submissions endorsed the need for a publicly-funded community college system. At the same time, a consistent concern that emerged relates to funding. There is strong support for a more progressive and appropriate approach to government funding.

There is recognition of the need for a balance between additional board authority, institutional flexibility and public accountability.

Both internal and external stakeholders support the need for continuing and reinforcing appropriate, effective partnerships with business, industry and other educational sectors.

There is strong agreement regarding the skills that students will require to be effective in the workplace in the 21st Century. Students, professional associations, faculty and college boards agree that:

- Students require vocationally specific competencies AND general education AND generic skills such as communication, interpersonal, critical thinking, writing, and research skills.

- There is a real need to develop lifelong learning skills.
- All graduates must be able to use technology effectively.

Celebrating Diversity

Colleges' Boards of Governors require flexibility to serve the unique needs of local, regional and global communities and markets. This range of needs reflects the diversity of communities across Ontario — large/small, urban/rural and multicultural.

While there are many areas of consensus in the charter framework, there are also areas of diverse opinion. The charter framework must accommodate differences particularly on key legal structures and functions:

Human Resource Management

Ontario colleges are unanimous on the need to link Boards of Governors, as employers, to the management of the colleges' paramount asset -- human resources. One key element of human resource management, collective bargaining, has long required improvement if colleges are to become more market-driven and if faculty and support staff are to fully achieve the professional goals that are fundamental to learning organizations. Governors are in agreement that college bargaining relationships and processes must improve.

In ACAATO's Human Resource Management Review process, initiated by the General Assembly in October 1998, member Boards have been examining the process of bargaining in the context of their strategic priorities and proposed charter framework. No one model appears to meet the diverse needs of all 25 institutions:

- several colleges support an improved version of central bargaining as it allows for some local agreements,
- several colleges favour the exploration of a two-tiered model which may or may not determine salary and workload limits centrally and all else locally;
- one college has formally approved a local bargaining model;
- the remainder of colleges are undecided or undeclared on the nature of change that would best suit their mandate and strategic directions.

"...an employer's association for the colleges lies in the fact that it would involve each college in a direct way. Each college would be a member of the association, and the association would become the legal employer for the purpose of bargaining. Each president would have a position on the governing council, which means that the collective agreements would be bargained by the people who have to live with them. The collective agreements would be ratified by the colleges....."

The Report of the Colleges Collective Bargaining Commission, Gandz, 1988

Future exploration is required particularly in the context of college restructuring being undertaken. New models and relationships will be required if colleges choose new structures of affiliation and partnership.

One re-occurring recommendation throughout the college experience over the past 12 years is the formation of an Employers Association. As college boards increase their focus on changing human resource management models and practices, requests to explore an Employers Association are increasing.

The General Assembly recommends continued strengthening of the work link between employer, Boards of Governors and governance authority for collective bargaining and further research on appropriate models and practices. The new Charter should ensure the Boards' right to determine appropriate models and practices of human resource management.

Legislative Status

ACAATO's charter consultation process provided member Boards with the opportunity to examine the Schedule III Crown Agency status as "non-profit, social or cultural operational agencies established for the direct provision of goods and services in order to implement approved government policy and programs." Some Boards conclude that, to fully achieve market-driven strategic priorities, broader interpretation or exemption from this definition or this status is necessary. Other Boards conclude that sufficient lattitude exists within Schedule III status to meet college objectives.

Institutional Models

College Boards support the principle articulated by the Ontario Jobs and Investment Board that one size no longer fits all. Several Boards in the GTA and in regions across Ontario are committed to significant institutional change to better serve diverse markets. The charter framework will need to accommodate the strategic directions developed by Boards particularly in permitting various institutional models such as polytechnics, college/college and college/university institutes and centres of excellence, stand-alone venture capital educational and applied research corporations, and other new forms of affiliation and incorporation.

The following charter principles are based on the collective

Charter Principles

principles widely reinforced during ACAATO's consultation process. Syntheses of key stakeholder opinion are highlighted.

Charter Principles:

- **4.1 Access**
- **4.2 Funding**
- **4.3 Accountability**
- **4.4 Board Authority**
- **4.5 Institutional Flexibility**
- **4.6 Credentials**

4.1 ACCESS

"A college education should be accessible. Accessibility should include the opportunity to succeed, as well as the opportunity to enrol, and it must be provided in an equitable manner. Access with success means that all students should have a reasonable chance to complete an appropriate college program. It means that access must go beyond providing an open door; after enrolment, there must be a supportive learning environment and a variety of strategies to help students succeed in college."

Ministry of Colleges and Universities, *Vision 2000: Quality and Opportunity*. 1990

College leaders and stakeholders firmly believe that access continues to be the number one priority for Colleges of Applied Arts and Technology to meet the needs of Ontario learners in the global economy.

Consultation Highlights

Colleges must become even more responsive to student needs and preferences by:

- providing a diverse and flexible choice of programs, ranging from highly specialized to vocationally oriented, from preparatory and access to retraining programming;
- providing options and flexible learning alternatives including innovative, productive use of technologies. The increasingly diverse student population demands a more complex variety of learning options, including when (day, evening, weekend, summer), where and how they access education;
- offering more distributed learning/distance education;
- ensuring that finances and geography are not barriers to the pursuit of postsecondary education;
- providing students with learning opportunities throughout their lifespan so they will be able to acquire necessary skills and knowledge to be effective, productive members of the workforce and society.

"Allow college learners to fulfill their career aspirations and occupational dreams through the best and fairest funding scheme that will guarantee its economy a steady flow of productive and up-to-date workers who can be energetic consumers if they are not encumbered by crippling debt."

Algonquin College

Charter Framework

- It is requested that the government establish a new Charter for colleges that:
- declares government's commitment to a learning society in which qualified Ontarians have the opportunity to access postsecondary education;
- describes the broad mandate of the colleges as leading career education and training institutions;
- imbeds common system-wide elements and the flexibility for differentiation of colleges.

4.2 Funding

To engage in long-term strategic planning, the colleges must have an improved ability to anticipate future funding provisions and to understand the probable impact of planning on funding provisions. In 1997 the presidents and board chairs unanimously requested increased strategic funding and a change in the current funding distribution mechanism. The new funding formula proposed by the Committee of Presidents would distribute the operating grant to each college on a fixed share basis. Targeted funding based on growth could be determined by the government with some of the operating grant devoted to performance.

Consultation Highlights

"The Ontario colleges are the lowest funded postsecondary system in Canada....This chronic under funding poses the greatest threat to the college system since its inception more than 30 years ago."

Georgian College

There is a need to invest in the colleges to ensure continued leadership in the provision of a skilled workforce and to ensure that the colleges can accommodate the anticipated increased enrolment with quality programs and staff.

- The funding mechanism must be changed.
  - It is necessary to move from an enrolment-driven funding distribution mechanism with disincentives for collaboration and partnerships with other educational institutions.
  - A new funding mechanism should recognize the diversity of the college sector — large/small, rural/urban and the contribution of colleges to the economic and social health of the community.
  - Any new funding distribution mechanism should encourage collaboration and reduce competition.
- There is a need to recognize the costs associated with the particular needs of French-language education and smaller institutions.
- There are requirements for increased operating funds to address the anticipated increased enrolment. SuperBuild addresses only capital needs in those colleges that received funding.
- One submission suggested that effective immediately, MTCU increase funding by $500 per student.

Charter Framework

It is requested that the government commit to progressive and adequate funding based on a new and appropriate knowledge-based economy funding model.

4.3 Accountability

Colleges are working to increase accountability strategies in addition to increasing access, enhancing quality and controlling costs. For 34 years colleges have demonstrated accountability for the use of public funds. Accountability to students and their families and clients, the consumers of college education, is of paramount importance.

Consultation Highlights

- Colleges and students are accountable to each other, as well as to the community that supports them.
- Accountability measures must be valid and useful to the government, the public and the institution.
- Colleges are committed to, and proud of, the Key Performance Indicators and the results in the areas of student satisfaction, employer satisfaction, graduate satisfaction and employment rate.
- Program Advisory Committees are key to the accountability that colleges have to the learner and the employer in providing relevant high quality programs and skilled graduates.
- Colleges have initiated various continuous improvement models to ensure the quality of their programs and services.
- One college recommended increased linkage of funding to performance.
- Some colleges indicated the use of annual reports and/or annual business plans as measures of accountability.

"The goal of establishing a measure for performance, excellence and accountability is a step in the right direction..... implementation of KPIs in the college sector has been supported by a tremendous amount of work by the ministry and college sector stakeholders..... However, students are concerned about how information derived from these KPIs will be used. This information should assist in keeping institutions accountable and should not be used to rank colleges in a competitive and destructive manner." -
Ontario Community College Student Parliamentary Association

Action Recommended

There is strong support for KPIs and board-directed accountability measures. There is an immediate need to revise the distribution formula of performance funding based on the 1998-99 KPI results.

4.4 Board Authority

Boards require increased authority to better serve our communities and further responsiveness to labour market need.

Consultation Highlights

"CAAT's must be responsive to their regions, through strategic, accountable, independent Boards of Governors, who work collaboratively with the other senior leaders in their communities to ensure optimal and sustained regional prosperity."

Durham College

Most consultation feedback indicates support for boards to have the authority to:

- conduct real property transactions;
- design a mechanism to appoint governors:
  - some indicate within broad guidelines
  - there is a suggestion to increase the number of student governors;
- hire, review and compensate presidents;
- establish the terms and conditions of employment for administrators, some indicated within broad guidelines.

Some submissions support increased board authority to:

- establish different types of companies, subsidiaries and joint corporate partnerships;
- determine the percentage of tuition increases directed to address student financial need;
- establish tuition fees;
- lead all aspects of human resource management.

Charter Framework

It is requested that the new charter provide boards with increased authority within a broad governance accountability framework to:

- act as employers with the ability to:
  - determine appropriate models of human resource management;
  - hire, review, compensate the president;
  - establish administrative salaries and terms and conditions of employment;
- conduct real property transactions;
- design the mechanism to appoint board members.

4.5 Institutional Flexibility

It is essential for the colleges to have the ability to respond to the marketplace in a relevant, timely, effective and innovative manner in today's fast-paced, knowledge-based economy and competitive educational environment.

Consultation Highlights

A key area of concern relates to program approval. The primary concern centres around the time it takes to have a program approved by MTCU, particularly if another ministry is involved. The ministry has organized the approval process to decrease the length of time it takes for a program to be approved. There is also diverse opinion regarding the ultimate solution to the issue. There appears to be a need to balance rapid local responsiveness to market need with provincial accountability to ensure Ontario's labour market needs are being met.

"While endorsing a centralized program approval framework, our Board also wishes to emphasize the need for changes that would enhance the college's flexibility in responding to the needs of its marketplace....The Sault College Board of Governors recommends the implementation of differentiated program approval streams to provide increased local flexibility."

Sault College

- Change from the status quo is supported. There is diverse opinion on the direction of change:
  - College boards should have the authority to approve programs following recommendations from the program advisory committee.
  - College boards should have the authority to approve programs following recommendations from the program advisory committee as long as there is a centralized accreditation process.
  - There could be different program approval processes for programs that are common to most colleges vs. unique programs or those programs that are resource intensive.
  - A central body should have the authority for program approval with the capacity to have "fast-track" streams.

- Several submissions support having a centralized accreditation and program approval process.

- There is some support to establish different types of companies, subsidiaries and joint corporate partnerships.

Action Recommended

Further discussion is required to develop a strategy that can be supported by the colleges and our stakeholders to achieve the balance between local rapid responsiveness and provincial accountability ensuring that both local and provincial labour market needs are being met.

4.6 Credentials

Since 1998 colleges, graduates and employers have asked government to allow colleges to grant applied degrees. Specifically, ACAATO has requested the implementation of a pilot project such as the successful project undertaken in Alberta. Ontario has been out of pace with the rest of North America regarding applied degree granting status for colleges. The Ministry of Training, Colleges and Universities announcement (April 29, 2000) of a 3-year pilot project permitting colleges to offer applied degrees responds to this need and is highly commended by employers, alumni and college leaders.

Consultation Highlights

- External and internal stakeholders feel strongly that there should be a "seamless" postsecondary system between university and college and within colleges.

"Credentials have been a long-standing issue with this association. We suggest that the time is overdue for the government to provide a route within the CAAT system for a Bachelor's degree in technology areas."
Ontario Association of Engineering Technicians and Technologists

- Applied degrees generate strong support.
  - Several submissions are supportive of applied degrees for specific specialized programs.
  - Others are supportive of the former **if** universities continue not to give full credit for college programs.
  - Most submissions indicate that if applied degree granting is allowed that there should be a centralized accreditation/peer review process.
  - Many submissions link the ability to do applied research to the granting of applied degrees.
  - Desire is expressed not to devalue the college diploma.
  - University representatives are the only ones to explicitly state they will not support degree granting for colleges.

"...build college/university partnerships to provide for the seamless movement of students within the full sector of postsecondary education, and encourage colleges and universities to work cooperatively to provide the best education that each can offer."
Canadian Health Record Association

- There are suggestions but no consensus for changing the diploma credential to Associate Degree.
- A view is expressed that there is no provincial credential for preparatory programs which disadvantages the graduates of these programs.
- Suggestions were made that colleges have the right to grant degrees for nursing.
- Several submissions affirm the need for graduates to have a globally competitive credential that is base on curricula that meets global standards.

Charter Framework

It is requested that the charter permanently permit the colleges to grant applied degrees.

Section 5

Postsecondary Reform Elsewhere

Postsecondary Reform Elsewhere

"The biggest threat is complacency -- the sense that the global changes that affect other institutions won't greatly affect higher education. Complacency will lull faculty and administrators into overlooking new opportunities to accomplish their missions."

President Spanier,
Pennsylvania State University
February 2000

Across North America there has been a reform movement in the postsecondary sector. Systems of higher education, both colleges and universities, are examining their ability to prepare graduates for the knowledge-based economy of the 21st Century. At the same time government is examining their role in ensuring the institutions can meet the needs of the economy and society as a whole.

The examination of approximately 20 other jurisdictions in Canada, the United States, England and Australia revealed significant consistency in the reasons sited for change and in the themes for changes that emerged. The rationale and themes are consistent with the situation in Ontario and the feedback ACAATO has received regarding reform.

Driving Forces Elsewhere

The driving forces for change include:

- 'renaissance' in applied education;
- changing labour market needs;
- demographic shifts, changing student mix;
- rapidly changing technology;
- globalization of the economy and education;
- public demand for accountability and cost-effectiveness;
- changing educational environment;
- changes in funding support and inadequacy of current funding approaches.

Common Themes Elsewhere

The common themes that are highly applicable to Ontario's postsecondary environment include:

- underlying principles of access, accountability, affordability, quality and relevance;
- the use of technology to improve access and quality;
- technology infrastructure to network all postsecondary institutions;
- funding and the need to change current approaches while being cost-effective;
- an integrated system of higher-education -- seamless, articulation transfer credit;
- some form of performance measures, either institutionally-based reporting to a central body or system-wide reporting administered by a central body;
- the need to work collaboratively across the educational spectrum as well as with business and industry,

communities and other organizations; and
- linkage between higher education and economic development.

The processes utilized to develop the actual reforms in the various constituencies examined were diverse including development within the government, consultation with the postsecondary sector and broad consultation with a very diverse group of stakeholders.

The following brief descriptions of four constituencies will provide examples of the results of their efforts to transform their postsecondary systems. In some cases the reforms had an impact on all of the higher education institutions, colleges and universities, in others they relate primarily to colleges.

British Columbia

Implementation of *Charting a New Course,* a strategic plan for the future of B.C.'s college, institute and agency system, began in 1997-98. Responsibilities for the government and institutional boards are defined in the College and Institute Act, the Institute of Technology Act, and the Open Learning Agency Act.

"Charting a New Course *considers institutions as components of an integrated system rather than discrete entities. While recognizing the importance of institutional autonomy, it is evident that greater specialization and flexibility are required."*
Charting a New Course

Charting a New Course articulates "a coordinated system-wide approach to complement the strength and diversity of individual systems and to promote responsive, flexible and high quality outcomes-based program delivery." The plan has four goals: relevance and quality, access, affordability and accountability.

The provincial organizational structure establishes the infrastructure required to ensure the strategic goals can be met. The major system components include the government, system-wide organizational structures and the institutions themselves.

The system-wide structures include:
- *Centre for Curriculum, Transfer and Technology*
- *Centre for Education Information Standards and Services*

Alberta

Alberta Learning is the new vision for education in Alberta. There were no changes made to legislation. Instead changes were introduced through the reorganization of ministries and the redefinition of roles and responsibilities for other provincial structures.

"A vision that recognizes learning as a lifelong learning process that touches many aspects of all our lives."
Alberta Learning

The changes require Alberta's learning system to:

1. provide quality programs that are responsive, flexible, accessible, relevant and affordable;
2. enable learners to demonstrate high standards;
3. prepare learners for lifelong learning, work and citizenship;
4. develop and maintain effective relationships with partners;
5. operate responsively and responsibly.

Alberta has established system-wide structures:

- *Alberta Council on Admissions and Transfer*
- *Apprenticeship and Industry Training Board*
- *Students Finance Board*

In March 2000, the Alberta government established a committee of Members of the Legislative Assembly and private citizens to review and make recommendations on the funding framework for Alberta's postsecondary system.

Manitoba

Manitoba has undergone significant changes in the past two years. The general approach is similar to British Columbia with the major components of the postsecondary governance structure including the government, system-wide structures and individual institutions. The system-wide structures include:

- *Council on Postsecondary Education*
- *Council on Learning Technology*
- *MERLIN* -- a special operating agency within Manitoba Education and Training

The Manitoba *Colleges Act* has a description of the mandate of the colleges as does Nova Scotia's *College Act* (See Appendix 1).

New Jersey

New Jersey legislated an entrepreneurial, shared, tripartite, governance structure in 1994 which consists of:

- preexisting *institutional boards of trustees*, with increased autonomy, that are responsible for fulfilling the mandate of their institution while remaining aware of the importance of effective coordination to achieve statewide goals;

- the *President's Council*, a new entity consisting of presidents from across the system. It is responsible for reviewing, commenting,

"The structure was designed in

this fashion to eliminate unnecessary state oversight and to encourage creativity and innovation at the colleges and universities. The marriage of institutional autonomy with statewide coordination provides an appropriate framework for the development of a dynamic higher education system that includes various types of institutions with clearly differentiated missions."

New Jersey Commission on Higher Education

advising, and recommending on matters affecting higher education, including assistance in developing and updating a plan for higher education; and

- the *Commission on Higher Education*, which replaced the Board of Higher Education and is much less regulatory. It is responsible for statewide policy, planning, and advocacy, including a specific mandate to conduct research on higher education and develop a comprehensive master plan.

There were specific requirements for assessment of the new structure and for reporting back to the legislature in five years, which was done in 1999. The report contained support for the new structure with recommendations for changes to improve the effectiveness of the structure.

Section 6

Options for Ontario

Options for Ontario

Postsecondary education reform has been a priority for other constituencies over the past several years. In Ontario we have seen reform of the elementary, secondary, hospital and municipal sectors by this government over the past five years. The government is looking for change in the postsecondary sector and looking to ACAATO to provide leadership on the direction and substance of this change.

Understanding the policy drivers that could influence government in the pursuit of postsecondary reform is essential to positioning the college sector appropriately. The goals for the government in Ontario could include most if not all of the following:

- increased accountability for the use of public funds;
- efficiency, such as less duplication, effective use of resources;
- reduction in the total cost of the sector to government;
- positioning the sector for enrolment growth at minimal or no increase in cost; and
- increasing choices to learners such as applied degrees and distributed learning .

The charter framework must clearly show accountability strategies particularly if the sector expects to have increased board authority and institutional flexibility. Approaches to address efficiency and other issues will require further exploration.

In addition to British Columbia's, Alberta's, Manitoba's and New Jersey's structural reform models included here, several other structural options have been suggested for consideration in the submissions. There is no consensus on one model or structure.

The following options represent single suggestions from individual submissions.

- An ACAATO Employers Association which would have the responsibility to conduct collective bargaining on behalf of the colleges, establish administrative salaries and terms and conditions of employment and establish broad guidelines for the search and hiring of presidents.

- The creation of non-profit educational corporations

governed by a Board of Governors and with clear accountabilities spelled out in a memorandum of understanding between the board and government. These corporations would be private, not-for-profit corporations under the Corporations Act.

- A College Commission could be a provincial body comprised of board chairs, college presidents and other representatives. The College Commission would provide provincial leadership and direction while ensuring local board authority. It would have the primary authority to assure broader regional and provincial needs are met, provincial strategic planning and policy development.

- An Accreditation/Standards Council could be responsible for program and degree standards, program approval of some programs, accreditation and quality assurance. It is important to address this issue in the near future to ensure that the council is established for the college sector — with college input and perspectives — and not folded into an existing structure such as the Education Quality and Accountability Office.

- The possibility of the establishment of new kinds of applied institutions such as polytechnics was suggested. These institutions would be able to grant degrees and conduct applied research.

- The distribution of responsibility and accountability between three organizational structures: government, college boards and a "provincial representative body" was suggested. The representative body would have some responsibilities that overlap with government responsibilities and several areas for which they had sole responsibility relating to system-wide initiatives.

- The establishment of a Provincial Distance Learning Agency or a Distributed Learning Network to increase choices for students and businesses, decrease costly duplication and maximize the use of highly skilled scarce resources was

mentioned several times. This network could increase the competitiveness of the colleges in this particular field.

There are many permutations of these elements that could be explored to develop the appropriate provincial organizational structure for Ontario's colleges, citizens and government. ACAATO will continue to provide the forum for discussion on collective change options.

Section 7

Conclusion

Conclusion

The Association of Colleges of Applied Arts and Technology of Ontario extends appreciation to all members of the college community and our partners who have contributed to this *Capacity and Charter Project*. The input to the consultation process by internal and external stakeholders has reaffirmed the important role that colleges have in the social and economic development of the province and its diverse communities. All of the recommendations and thoughtful suggestions have been heard and this framework has been built upon them. The framework requested in this paper is one that can be supported by our stakeholders.

More work needs to be done in some areas. The human resource model, program approval, provincial and institutional organizational models and other structures which would support self-directed networks all require more dialogue and consideration.

The Association of Colleges of Applied Arts and Technology of Ontario requests the establishment of this charter framework and welcomes the opportunity to continue dialogue with faculty, support staff and administration, employers, students, educators, community leaders and the Ministry of Training Colleges and Universities to implement this charter. Working together we will achieve the critical mandate of the colleges and address the changing needs of our stakeholders and labour market in this knowledge economy. Knowledge and skills for prosperity is our shared goal and responsibility.

Section 8

Appendices

Appendix 1

Legislation Containing College Mandates

Legislation with College Mandate

The following are excerpts from sample provincial and state legislation that covers colleges.

Manitoba

Excerpt from the *Colleges Act*

Mandate of a college

A college has the responsibility to enhance the social and economic well-being of Manitoba through the provision of a broad range of educational opportunities, and in accordance with that responsibility a college may provide the following:

a. Programs of study and training in academic, scientific, trade, technical, technological and vocational fields for full- and part-time students;

b. Career counseling, basic education upgrading and literacy programs;

c. College preparation and transition programs for under-prepared students;

d. Services to governments, corporations and other bodies and persons relating to programs it provides, on terms it considers appropriate;

e. University courses provided by way of agreement between the college and a university;

f. Joint programs developed and delivered in conjunction with a university or other accredited postsecondary institution;

g. Training programs paid wholly or partly by government, private business or non-profit groups;

h. Other related postsecondary education and training functions directed by the minister.

Nova Scotia

Excerpt from the *Colleges Act*

52 The College is a post-secondary institution and is responsible for enhancing the economic and social well-being of the Province by meeting the occupational training requirements of the population and the labour market of the Province and, without restricting the generality of the foregoing, the College may:

a. offer education and training and related services for full- and part-time students;

b. provide education and training and related services to governments, corporations and other bodies and persons consistent with the mandate of the College, on terms and conditions the College considers appropriate;

c. participate in joint programs with respect to education and training and related services developed and delivered in conjunction with other post-secondary institutions and educational bodies.

New Jersey

Excerpt from the *Education Act*

2. The Legislature finds and declares that:

a. the institutions of higher education are one of the most valuable and underutilized resources in the State; and

b. the elimination of unnecessary State oversight and its accompanying bureaucracy will serve to unleash the creativity and innovation of these institutions; and

c. the restructuring of higher education must ensure that student aid programs are not only preserved but strengthened and that the State continue to foster and encourage programs to promote diversity and accessibility; and

d. the institutions of higher education in the State shall be responsible for achieving the Statewide goals of affordability and accessibility for all students, institutional excellence, and effectiveness in addressing the societal and economic needs of the State; and

e. in order to provide institutions with the ability to fulfill their mission and Statewide goals, greater decision making and accountability must be placed at the institutional level and structures must be established to ensure cooperation among institutions and coordination at the State level; and

f. the State benefits from a coordinated system of higher education that includes public and private institutions which offer a variety of programs with a range of choices and which addresses the needs of the State including its citizens and employers.

Appendix 2

Capacity and Charter Project Process and Feedback

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Research Overview

Capacity and Charter Project Feedback

College boards conducted a wide variety consultative activities for the charter project that reflect the diversity of the colleges and the communities they serve. Most colleges that submitted a response conducted some form of internal consultation with their boards, staff and students. Many colleges surveyed their advisory committees, some used their web sites to encourage input, one held "town hall meetings." There were various strategies used to obtain input from local businesses, industries and governments.

The MTCU/ACAATO Charter Working Group held several meetings to review the existing legislative/regulatory framework and the various ministry policies that covered the colleges. The working group also discussed what the colleges currently did, their success and what their role is in the future.

In total 13 Colleges have made written submissions, 6 key stakeholder groups made presentations to the ACAATO Executive and 15 written submissions were received.

A draft version of *Ontario's Colleges for the 21st Century: Capacity and Charter Framework* was distributed to college boards for response. On May 18, 2000 the ACAATO General Assembly,, discussed the feedback submitted by 19 boards and recommended revisions. The paper was revised and approved for transmittal to the Minister of the Ministry of Training, Colleges and Universities.

Consultation Presentations and Submissions

Presentations to ACAATO Executive (written and oral)

- Council of Directors of Education (CODE)
- Council of Universities (COU)
- Ontario Community College Students Parliamentary Association (OCCSPA)
- Ontario Public Service Employee Union - Faculty OPSEU
- Ontario Public Service Employee Union - Support Staff OPSEU (oral)
- Council of Regents (COR)
- Ontario College Administrative Staff Association (OCASA)

Written Submissions - Provincial Stakeholders

Most of these submissions responded from their particular organization's perspective and did not address all of the themes that have been identified.

- College of Nurses of Ontario (CNO)
- Registered Nurses Association of Ontario (RNAO)

- Ontario Dental Hygienist Association (ODHA)
- Building and Construction Trades Council of Ontario
- Canadian Health Records Association (CHRA)
- Ontario Association of Certified Engineering Technicians and Technologists (OACETT)
- Ontario Public School Boards Association
- Institute of Law Clerks of Ontario
- Heads of Language
- Heads of Technology Executive Committee
- Literacy and Basic Skills College Sector Committee
- Quill Literacy Network
- The Mid North Network
- Community Literacy of Ontario
- Ontario Colleges Athletic Association

College Boards

- Algonquin College
- La Cité Collégiale
- Conestoga College
- Durham College
- Georgian College
- Mohawk College
- Niagara College
- Lambton College
- Loyalist College
- Sault College
- Seneca College
- Sheridan College
- Sir Sandford Fleming College

Resource Materials Provided

- A New Charter for Ontario Colleges of Applied Arts and Technology: A discussion of key roles and priorities
- Capacity and Charter Project Outline

- Capacity and Charter Project: Resources and Questions

Capacity and College Research Projects

Distributed Learning Paper

A *Distributed Learning: Discussion Paper* has been developed under the direction of the Instructions/Program Coordinating Committee (IPCC).The paper provides a brief analysis of distributed learning including the current status in Ontario. The paper then outlines the goals and objectives, components, critical success factors and recommendations for a CAAT Distributed Learning Network.

Applied Degree Paper

The IPCC has developed a position paper that has been distributed to the IPCC for feedback. The paper sets out the context, conditions and the legislative and regulatory changes required for colleges to have the authority to grant applied degrees.

Increased Capacity through Summer, Weekends, and Evening Activity Paper

The IPCC has developed a paper on the potential to increase capacity over the next five years by taking advantage of opportunities for activity in the summer and weekends. The paper proposes three strategies for increasing capacity which do not involve the construction of additional facilities.

Program Approval and Standards Paper

The IPCC has developed a position paper that describes a new streamlined approach to program approval and standards that would increase college autonomy, flexibility, adaptability and responsiveness while retaining MTCU responsibility for the overall approval process to ensure government strategic goals are met.

Funding Research

The Administrative Services Coordinating Committee has hired KPMG to provide a paper that projects the costs, revenue and related implications to Ontario colleges if there is no increase in funding over the next 5-10 years. KPMG has developed a model to determine the net revenue required by the college system to handle the increase in enrolment over the next 10 years.

Human Resources

The Human Resources Coordinating Committee has identified the information needed to project staffing needs at the provincial level for the next ten years. Staffing numbers by group and age and the number of staff eligible for full-time retirement without penalty have been collected.

Postsecondary Student Enrolment

Through the Coordinating Committee Student Services, Committee of Registrars, Admission, and Liaison Officers has confirmed a set of projections for full-time postsecondary activity over the next ten years. The projections are based on the Ministry of Finance 1996 census Ontario population projections and are tabulated on the college student demographic profile.

Appendix 3

Ontario Legislation/Regulation

Ontario Legislation/Regulations Relating to Colleges

Legislation is a collection of written principles which guide behavior in society. There are two main types of legislation: primary and secondary.

Statutes or Acts are considered primary sources. When the provincial legislature wishes to enact a law, it goes through a process of drafting legislation. This draft, which lays out what the law should say, is known as a bill. After the bill has been discussed, revised, and passed by the legislature, it officially becomes a Statute. Within the Statute, there is often a statement which allows an individual or body to become responsible for the piece of legislation. The individual or body has the power to create subordinate legislation to deal with matters arising out of the statute.

The **regulation** is one type of subordinate legislation. Regulations contain details which enable the statute to operate as the legislature intend.

The following information is a summary of salient points from the various legislative/regulatory documents that relate to Charter discussions.

Schedule III Crown Status

Schedule III is for operational agencies that are nonprofit, social and/or cultural in nature and that:

- are funded whole or in part out of the Consolidated Revenue Fund or out of monies collected from the public by means of levies, and are subject to financial planning and reporting processes as determined by the ministry; or
- are self-funded, noncommercial organizations;
- adhere to the general management principles of the government but can demonstrate reasons whereby full compliance with all administrative directives established by the Management Board is not appropriate;
- manage their own administrative support; do not appoint staff under the Public Services Act.

Schedule III agencies must adhere to any management and administrative directives approved by the Management Board that are specifically designated as applying to such agencies. An MOU between the minister and agency head details these.

Waiver of scheduling requirements

Management Board approval must be obtained to waive the above scheduling requirements in those cases where government does not wish to exercise direct administrative or financial control over an organization to which it appoints a majority of members.

Ministry of Colleges and Universities Act 1990: selected excerpts

- ....minister may establish, name, maintain, conduct and govern CAATs that offer programs of instruction in one or more fields of vocational, technological, general and recreational education and training or evening courses for full-time or part-time students;
- ...minister shall be assisted in the planning, establishment and co-ordination of programs

of instruction and services for such colleges.....Council of Regents (COR);

- ...Board of Governors (BOG) for each college, each board shall be assisted by an advisory committee for each branch of a program of instruction offered in the college;
- BOG can enter into agreements with organizations (subject to the approval of the Minister);
- .....BOG may enter into agreements with a university.....leading to degrees, certificates or diplomas awarded by the university (subject to the approval of the Minister);
- the cost of the establishment, maintenance and conduct of a college may come from the province, federally, student fees, agreements and other sources;
- Minister may make regulations (does not apply to universities):
  - providing for composition, powers and duties of BOGs;
  - prescribing the type, content and duration of programs offered;
  - prescribing the requirements for admission to any program of instruction, and the terms and conditions upon which students may remain in, or be discharged from a program;
  - for the granting of certificates and diploma's
  - prescribing the qualifications and conditions of service of members of the teaching staff;
  - requiring students to pay registration, tuition and laboratory fees and fixing the amount;

- Minister may make regulations (applies to colleges and universities):
  - OSAP related regs
  - providing for the apportionment and distribution of money...by the Legislature for university, college and any other p.s educational purpose;
  - prescribing conditions governing payment of grants;
  - defining "enrolment" and "student" for the purpose of grants..... requiring that "enrolment" be subject to approval of the Minister;
  - prescribing forms and providing for their use;

- Many items relating student loans, interest, payment etc.

Ministry of Colleges and Universities Act: Colleges of Applied Arts and Technology--Boards of Governors and Council of Regents R.R.O. 1990, *Regulation 770*

- role of COR
- many items relating to the BOG's, appointment, quorum , terms of office, vacancy etc.: two 'shall not'- relating to leasing, selling etc of property and approving an annual budget that provides for accumulated deficit without approval of the Minister;
- at least once every three years, each BOG will require an operational review of the college;
- BOG has the power to appoint, classify, promote, suspend, transfer, reclassify or remove, a) the president; and b) administrative, teaching, and non-teaching personnel, subject to the salary and wage rates and according to the terms and conditions established by the COR and approved by the Minister;
- BOG may by by-law delegate to the president of the college powers outlined above;
- the process used to appoint, review or remove a college president is subject to the approval of the minister;
- submission of an annual report to the minister- format and data determined by the minister
- programs of instruction shall be approved by the minister except those offered under 5.5

of the Act- agreements with universities leading to a university degree, diploma or certificate;
- the requirement for an advisory committee for each program of instruction appointed by the BOG ;
- admission requirements for applicants; subject to criteria for particular programs;
- the categories of diplomas, certificates or other documents awarded..... subject to approval of the Minister (except programs 5.5 of the Act);
- establishment of a college council

Colleges Collective Bargaining Act - selected excerpts
- this act applies to all collective negotiations concerning terms and conditions of employment of employees-------In this Act "employee" means a person employed by a board of governors of a CAAT in a position or classification that is within the academic staff bargaining unit or the support staff bargaining unit set out in schedules 1&2;
- also defines "person employed in a managerial or confidential capacity";
- no collective negotiations will be carried on except in accordance with this Act
- COR has the exclusive responsibility for all negotiations on behalf of employers conducted under this Act

Degree Granting Act- selected excerpts

This act is very short. It ties into the university acts as they are the only ones that have the authority by "an act of the assembly" to grant degrees. The act also limits the use of the word "university" or the establishment of a "university" in Ontario.

Authority to grant a degree
- several "can't" statements
- is by an act of the Assembly authorized to grant the degree; or
- is a degree granting institution outside of Ontario and has the written consent of the minister

Authority to Establish a university
- protects the use of the term university- cannot use the term university in Ontario unless
- is by an act of the Assembly authorized to operate or maintain a university: or
- is a university established outside of Ontario and has the written consent of the minister

Consent of the Minister
- minister can give written consent to a university established outside of Ontario to advertise, operate a university, grant a degree in Ontario